IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY NINTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO: 24604 of 2004

Between:

1 Tirumalasetti Koteswaramma, W/o Venkateswarlu,
Kolakaluru Gram Panchayat, R/o Kazipet, Kolakalauru

Village, Tenali Mandal, Guntur District.
2 Gadde Dhanalakshmi, W/o Hanumamtha Rao,
Kolakaluru Gram Panchayat, R/o Kazipet, Kolakalauru

Village, Tenali Mandal, Guntur District.

... PETITIONERS

AND

1 The District Collector, Panchayat Raj Wing, Guntur.
2 The District Panchayat Officer, Guntur.
3 Government of Andhra Pradesh, Rep. by Principle Secretary of

Panchayat Raj, Secretariat, Hyderabad.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the 1st respondent in shifting the Kolakaluru Gram Panchayat building from the present place i.e., heart of the village to a remote area of the village proceedings of Collector (Panchayat Raj Wing), Guntur in L.Dis.NO. 8458/2003-G3,
dt. 28-2-2004 is illegal and void and without power or authority and consequently to direct the respondents not to shift the Kolakaluru Gram Panchayat Building to any other new place.

Counsel for the Petitioner: MR.MUMMANENI.SRINIVASA RAO
Counsel for the Respondents: GP FOR PANCHAYAT RAJ & RURAL DEV.

The Court, at the admission stage, made the following:

ORDER:

This writ petition is filed seeking a Writ of Mandamus declaring the action of the first respondent in shifting the Kolakaluru Gram Panchayat building from the present place, i.e. heart of the village to a remote area of the village vide proceedings of Collector (Panchayat Raj Wing), Guntur in L.Dis.No.8458/2003-G3 dated 28-02-2004 as illegal and void and to direct the respondents not to shift the said building.

2. Heard the learned counsel for the petitioners and the learned Government Pleader for Panchayat Raj and Rural Development appearing on behalf of the respondents and with their consent, the writ petition is being disposed of finally at the admission stage.

3. As against the impugned order dated 28-02-2004 vide L.Dis.No.8458/2003-G3 passed by the first respondent – District Collector, according sanction to the Kokalkalur Panchayat to construct a new office building in S.No.935 and 929-4 AB in Ac.0.03 cents with an estimated cost of Rs.5,70,000/-, petitioners said to have filed revision petition under Section 264 of the Panchayat Raj Act, 1994 (for short 'the Act') before the third respondent - Principal Secretary of Panchayat Raj, and the same is pending on his file.

4. In the circumstances, the writ petition is disposed of directing the third respondent – Principal Secretary, to consider the revision and the stay application said to have been filed by the petitioners and pass appropriate orders either on the stay application or the revision petition, expeditiously, in accordance with law. Till passing of such orders, *status quo* obtaining as on today shall be maintained.

The writ petition is accordingly disposed of.

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N.V. RAMANA, J

December 29, 2004

NOTE: Furnish copy in three days

(B/o)

MRR / SVV

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

Copy to:

1 The District Collector, Panchayat Raj Wing, Guntur.
2 The District Panchayat Officer, Guntur.
3 Government of Andhra Pradesh, Rep. by Principle Secretary of

Panchayat Raj, Secretariat, Hyderabad.

4 Two C.C. s to the G.P. for Panchayat Raj and Rural Development, High Court

Buildings, Hyderabad (OUT)

5 Two C.D. Copies.